

Serial No. 08/465,322
Docket No. 04990.0045

#15

B. Henny
6-1-98



MAY 19 1998
THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SODERLUND *et al.*

Appl. No. 08/465,322

Filed: June 05, 1995

For: **A REAGENT FOR
DETERMINING SPECIFIC
NUCLEOTIDE VARIATIONS**



Art Unit: 1807

Examiner: C. Meyers

Atty. Docket: 04990.0045

Submission Under 37 C.F.R. § 1.129(a)

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Assistant Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicants request that the finality of the final rejection dated May 16, 1997 be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a). A Notice of Appeal of the final rejection was filed on November 14, 1997. Our Check No. 159176 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the amendment and request for reconsideration filed on November 14, 1997 be entered.

Applicants respectfully request a four-month extension of time in which to file an appeal brief, for which a response period expiring on January 14, 1998 was set. The extended period expires on May 14, 1998. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 08-3038.

Respectfully submitted,



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